



PATENT

Customer No. 22,852  
Attorney Docket No. 08702.0007-02000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
CAGGIANO et al. ) Parent Group Art Unit: 1652  
Application No.: 10/688,016 ) Parent Examiner: Kathleen Kerr  
Filed: October 15, 2003 )  
For: EFFECTOR PROTEINS OF )  
RAPAMYCIN )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in prior U.S. Application No. 09/950,634, filing date September 13, 2001 or in Application No. 08/471,112, filing date June 6, 1995, upon which applicant relies for the benefits provided in 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. Applicant respectfully requests that the Examiner

PATENT  
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consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 14, 2004

By:



Mary K. Ferguson  
Reg. No. 51,625

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08702.0007-02000	O P E S	Appln. No.	10/688,016
Applicant	Caggiano et al.	APR 19 2004		
Filing Date	October 15, 2003	PTAB	Group:	1652

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,109,112	4/92	Siekierka et al.			
	6,464,974	10/15/02	Berlin et al.			
	6,150,137	11/21/00	Berlin et al.			
	6,127,521	11/3/02	Berlin et al.			

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	92/18527	10/92	PCT			
	92/19745	11/92	PCT			
	93/07269	4/93	PCT			
	93/25533	12/93	PCT			
	0379342	7/90	EP			
	0481673	4/92	EP			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Armistead et al., <i>Annual Rpt. In Med. Chem.</i> 28:207-215 (1993)
	Belshaw et al., <i>SynLett</i> 6:381-464 (1994)
	Brown et al., <i>Nature</i> 369:756-758 (1994)
	Cafferkey et al., <i>Molecular and Cellular Biology</i> 13(10):6012-6023 (1993)
	Chen et al., <i>PNAS</i> 92:4947-4951 (1995)
	Chen et al., <i>Biochem. Biophys. Res. Commun.</i> 203(1):1-7 (1994)
	Chiu et al., <i>PNAS</i> 91:12574-12578 (1994)
	Clardy, <i>PNAS</i> 92:56-61 (1995)
	Current Opinion in Therapeutic Patents 2:37-38 (1992)
	Erdjument-Bromage et al., <i>Protein Science</i> 3:2435-2446 (1994)
	Heitman et al., <i>Science</i> 253:905-909 (1991)
	Kivistö, <i>Clin. Pharmacokinet.</i> 23(3):173-190 (1992)

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Kunz et al., <i>Cell</i> 73:585-596 (1993)
	Kunz et al., <i>Trends in Biochem. Sci.</i> 18:334-338 (1993)
	Liu, <i>Trends in Pharmacol. Sci.</i> 14:182-188 (1993)
	Liu et al., <i>Cell</i> 66:807-815 (1991)
	Milligan et al., <i>J. Med. Chem.</i> 36(14):1923-1937 (1993)
	Murthy et al., <i>Clin. Chem.</i> 38(7):1307-1310 (1992)
	Ocain et al., <i>Biochem. and Biophys. Res. Comm.</i> 192(3):1340-1346 (1993)
	Partaledis et al., <i>Yeast</i> 8:673-680 (1992)
	Rosen et al., <i>Angew. Chem. Int. Ed. Engl.</i> 31:384-400 (1992)
	Sabatini et al., <i>Cell</i> 78:35-43 (1994)
	Sabatini et al., <i>Society for Neuroscience Abstracts</i> 20(1-2), 49.10 (1994)
	Sabers et al., <i>J. Biol. Chem.</i> 270:815-822 (1995)
	Seghal et al., <i>Medicinal Research Reviews</i> 14(1):1-22 (1994)
	Seghal et al., <i>Therapeutic Drug Monitoring</i> 17:660-665 (1995)

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce



## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on April 14, 2004  
Date

Melanie L. Hayden  
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